

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

**INGENIO, FILIALE DE
LOTO-QUEBEC, INC.,**

Plaintiff,

v.

GAMELOGIC, INC.

Defendant.

Civil Action No. 04-1532 (KAJ)

PLAINTIFF'S [PROPOSED] VOIR DIRE

Good morning, ladies and gentlemen. I am Judge Jordan, and I will be presiding over the trial for which a jury is about to be drawn in the case. The parties are Ingenio Filiale de Loto-Quebec, Inc. and GameLogic, Inc. Briefly stated, this is a case involving allegations of patent infringement. The defendant denies patent infringement. The trial may last up to 10 days. I time my trials, so the attorneys will have to complete their presentations within these limits. While it appears unlikely at this point, jury deliberations may require you to be present longer than that number of days.

I am going to ask you a series of "yes or no" questions, the purpose of which is to: (1) enable the court to determine whether or not any prospective juror should be excused for cause; and (2) enable counsel for the parties to exercise their individual judgment in helping to determine the final composition of the jury. If any of you have a "yes" answer to any of my questions, please keep track of that in your own mind. When I have concluded asking all the questions I will ask all those who had a "yes" to answer to any of my questions to raise their

hands. Then we will call you to the bench individually to speak with you about your affirmative response or responses.

1. As I mentioned, this case is expected to take 10 or less business days to try. Is there any member of the panel would be unable to sit as a juror in the case for that period of time?

2. Do you know anything about this case?

3. Plaintiff, Ingenio, is represented by Edmond "Ted" Johnson of the Bayard Firm and Rodger Tate, Brian Buroker, and Daniel Vivarelli of the Hunton & Williams law firm. Do you know, or are you a client of Ted Johnson, Rodger Tate, Brian Buroker, Daniel Vivarelli, or their law firms, The Bayard Firm and Hunton & Williams?

4. Defendant, GameLogic, is represented by Richard Horwitz and David Moore of the law firm Potter Anderson & Corroon and Gary Hnath, Goutnam Patnaik, and Timothy Molino of the Bingham McCutchen law firm. Do you know, or are you a client of Richard Horwitz, David Moore, Gary Hnath, Goutnam Patnaik, or Timothy Molino or their law firms Potter Anderson & Corroon and Bingham McCutchen?

5. Is any member of the panel related to or personally acquainted with any of the parties, either the Plaintiffs, Ingenio Filiale de Loto-Quebec, or the Defendant, GameLogic?

6. Are you or any of your family members present or former employee of Ingenio or GameLogic?

7. Do you know any of the witnesses who will appear in this trial? They are:

- Jack D. Grimes
- William K. Bertram
- Nathalie Rajotte

- Perry Kaye
- Dow K. Hardy
- Steven Kane
- Edward Russavage
- Christopher Brandin
- Mark Herrmann
- Martin Korn
- Jennifer Westbury
- Carla Schaefer

8. Do you have specialized training in lottery systems or Internet-based systems?

9. Do you have any knowledge about, or familiarity with lottery systems or Internet-based systems?

10. Do any of your immediate family members work in the lottery or gaming industry?

11. Do you have any feelings or beliefs about patent cases in general or damages awards that would influence your decision in a case like this one?

12. Would you be unable to render a fair and impartial verdict based solely upon the evidence presented in court and under the law as presented to you?

13. Have you ever been a party in a lawsuit?

14. Have you or any member of your family ever made a claim or had a claim made against you for patent infringement?

15. Have you or any member of your family ever suffered any gaming or gambling-related issues?

16. Do you know of any other matter which would believe should be called to the Court's attention as having some bearing upon your qualifications or ability to sit as a juror, or which you think may prevent you from rendering a fair and impartial verdict based solely upon the evidence and my instructions as to the law?

ADDITIONAL QUESTIONS PROPOSED BY INGENIO

17. Have you, a member of your family, or a close friend had a problem with gambling?

18. Do you or a member of your immediate family play the lottery more than 10 times per month?

19. Do you or a member of your immediate family spend more than \$50 per month playing the lottery?

20. Do you hold the opinion that the government should not sponsor lotteries?

21. Is playing the lottery against your personal beliefs?

22. Have you or or any member of your immediate family, ever invented anything?

23. Have you or or any member of your immediate family, ever been awarded a United States Patent for an invention?

24. Have you ever played a lottery game where the results of the lottery were revealed through a computer game?